

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

AFFINITY CREDIT UNION, et al.,
Plaintiffs,
v.
APPLE INC.,
Defendant.

Case No. [22-cv-04174-JSW](#)

**ORDER DENYING DEFENDANT
APPLE INC.'S ADMINISTRATIVE
MOTION TO EXTEND PAGE LIMITS;
GRANTING MOTION TO SET
DAUBERT BRIEFING SCHEDULE**

Re: Dkt. No. 139

Now before the Court is Defendant Apple Inc.'s administrative motion to enlarge page limits for Apple's anticipated combined brief in opposition to Plaintiffs' motion for class certification and Apple's motion to exclude expert testimony. Apple seeks an enlargement of 10 pages for a total of 40 pages for the combined brief. According to Apple, it will require additional pages in order to respond to Dr. Christopher Vellturo's "voluminous report" and to "properly address Plaintiff's arguments on class certification." (Dkt. No. 139, Admin. Mot., at 1:17-18.)

Plaintiffs Affinity Credit Union, GreenState Credit Union, and Consumers Co-Op Credit Union oppose the motion, contending that Apple has failed to demonstrate good cause for excess pages. Plaintiffs also contend that Apple's *Daubert* motion is untimely.

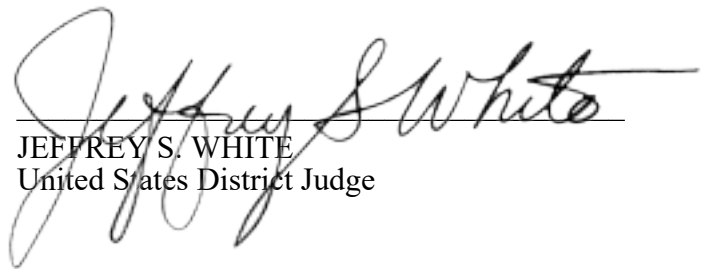
The Court finds that Apple has not shown good case to justify ten excess pages for its combined brief. Apple contends that it requires the length due to Dr. Vellturo's lengthy report, but it does not explain why that length, which includes Dr. Vellturo's CV and appendices, in turn warrants a lengthier brief. *See Elec. Frontier Found. v. C.I.A.*, No. 09-cv-03351-SBA, 2012 WL 1123529, at *1 (N.D. Cal. Apr. 3, 2012) (denying motion for enlargement of pages where party "failed to sufficiently explain how this case is 'complex' such that additional pages beyond the page limits" were necessary).

1 The Court finds Apple's proposed *Daubert* briefing schedule reasonable. The Court has
2 not previously set a schedule for *Daubert* briefs relating to class certification. It therefore adopts
3 the schedule as follows:

- 4 • Apple shall file its motion to exclude the expert opinion and report of Dr. Velturo by
5 June 18, 2025.
- 6 • Plaintiffs shall file their opposition by August 19, 2025.
- 7 • Apple shall file its reply by September 16, 2025.

8 **IT IS SO ORDERED.**

9 Dated: June 3, 2025

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11 JEFFREY S. WHITE
12 United States District Judge
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